

04/26/01 THU 15:51 FAX 228 9446

KLARQUIST SPARKMAN

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WDNSAS:gs 4/26/01 178-59010

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **CLONING OF RHESUS MACAQUE RHADINOVIRUS GENOME AND METHODS FOR ITS USE**, the specification of which

is attached hereto.

was filed on \_\_\_\_\_ as United States Application No. \_\_\_\_\_

was filed on November 5, 1999 as International Application No. PCT/US99/26260.

and was amended on \_\_\_\_\_ (if applicable).

with amendments through \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56. If this is a continuation-in-part application filed under the conditions specified in 35 U.S.C. § 120 which discloses and claims subject matter in addition to that disclosed in the prior copending application, I further acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) on which priority is claimed:

Prior Foreign Application(s)

Priority  
Claimed

(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

60/107,507
Application Number
60/109,409
Application Number

November 6, 1998
Filing Date
November 20, 1998
Filing Date

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WONUSAS:ge 4/26/01 178-59010

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application.

PCT/US99/26260 5 November 1999  
(Application No.) (Filing Date)

Pending  
(Status: patented,  
pending, abandoned)

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from \_\_\_\_\_ as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

I hereby appoint the practitioners associated with the customer number provided below to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number

24197  
KSCW

Name	Reg. No.	Name	Reg. No.
BLYVEIS, Deborah B.	47,337	PETERSEN, David P.	28,106
CALDWELL, Lisa M.	41,653	POLLEY, Richard J.	28,107
GIRARD, Michael P.	38,467	RINEHART, Kyle B.	47,027
HAENDLER, Jeffrey B.	43,892	RUPERT, Wayne W.	34,420
HARDING, Tanya M.	42,630	RYBAK, Sheree L.	47,913
JAKUBEK, Joseph T.	34,190	SCOTTI, Robert F.	39,830
JONCUS, Stephen J.	44,809	STIEGEL, Susan Alpert	43,121
JONES, Michael D.	41,879	SLATER, Stacey C.	36,011
KLARQUIST, Kenneth S.	16,445	STEPHENS Jr., Donald L.	34,022
KLITZKE II, Ramon A.	30,188	STUART, John W.	24,540
LEIGH, James S.	20,434	VANDEBERG, John D.	31,312
MAURER, Gregory L.	43,781	WHINSTON, Arthur L.	19,155
NOONAN, William D.	30,878	WIGHT, Stephan A.	37,759
ORR, David E.	44,988	WINN, Garth A.	33,220

Address all telephone calls to William D. Noonan, M.D. at telephone number (503) 226-7391.  
Address all correspondence to:

Customer Number

24197  
KSCW

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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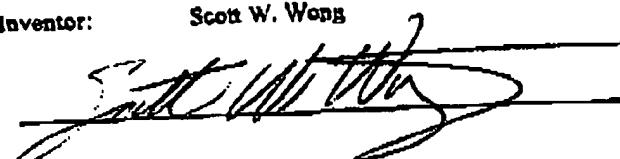
KLARQUIST SPARKMAN

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WON/SAS:gtc 4/26/01 178-59010

Full Name of Sole or first Inventor: Scott W. Wong

Inventor's Signature

  
4/27/01  
Date

Residence: Beaverton, OR

Citizenship: United States of America

Post Office Address: 7926 S.W. 167th Place, Beaverton, OR 97007

Full Name of Second Joint Inventor, if any:

Michael K. Axthelm

Inventor's Signature

  
4/27/01  
Date

Residence: Hillsboro, OR

Citizenship: United States of America

Post Office Address: 1345 S.E. 35th Avenue, Hillsboro, OR 97123

Full Name of Third Joint Inventor, if any:

Robert P. Scarles

Inventor's Signature

  
4/31/01  
Date

Residence: Beaverton, OR

Citizenship: United States of America

Post Office Address: 18300 N.W. Heritage Parkway #106, Beaverton, OR  
97006

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